

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) No. 4:21-cr-00288-DGK-1
)
MATTHEW L. SPANN,)
)
Defendant.)

ORDER ADOPTING MAGISTRATE'S REPORT AND RECOMMENDATION

Now before the Court is the Honorable Magistrate Judge Lajuana M. Counts' Report and Recommendation that Defendant Matthew L. Spann is competent to stand trial. ECF No. 58.

On September 16, 2024, Lacie L. Biber, Psy.D., issued a forensic evaluation report finding Defendant currently is competent to stand trial. ECF No. 55. On October 23, 2024, Judge Counts conducted a competency hearing wherein the parties stipulated Dr. Biber would testify consistent with her report if she had testified at the hearing. ECF Nos. 57, 59.

On October 23, 2024, Judge Counts entered a Report and Recommendation that Defendant is presently competent to stand trial. ECF No. 58. Neither party has filed an objection to the Report and Recommendation, and the time to do so has now passed.

After an independent, de novo review of the record and law, the Court ADOPTS the Report and Recommendation in its entirety, and the Court finds Defendant is competent to understand the nature and consequence of the proceedings against him and assist properly in his defense.

IT IS SO ORDERED.

Date: November 8, 2024

/s/ Greg Kays
GREG KAYS, JUDGE
UNITED STATES DISTRICT COURT